



PATENT
Docket No. SAL 001

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REMARKS

I. The Status of Claims.

Claims 1-20 were originally presented for examination before the United States Patent and Trademark Office (the "Office") with filing of a regular patent application on December 21, 2001, which was a continuation filing for a provisional application filed December 22, 2000. In a communication received on May 30, 2003, the Patent Office allowed claims 17-20, objects to claims 6 and 14-16 and rejects claims 1-5 and 7-13.

In response to the first office action, Applicant files the present amendment and response, within which independent claims 1 and 10 are amended, dependent claims 2, 4, 6, 7, and 11 are amended, claim 9 is cancelled and claim 21 is added. Claim 1-8 and 10-21 remain pending in the present application.

II. Rejection of claims 1 and 4 under 35 U.S.C. § 102(b) as being anticipated by Lemelson.

Claims 1 and 4 stand rejected by the Patent Office under 35 U.S.C. §102(b) as being anticipated by Lemelson, U.S. Patent No. 5,480,562. Examiner points to the abstract, column 1 and column 2, lines 15-20 as teaching a method of purifying water using a laser beam through a conduit as water passes through the conduit. Applicant has amended claim 1 as follows:

1. A water treatment method comprising:

receiving water into a treatment area;

introducing light into said treatment area from a at least one semiconductor laser as said water passes through said treatment area, wherein microorganisms contained within said water are reactive to said light and are killed; and

providing said water from said treatment area to a point of use.

Lemelson does not teach the use of semiconductor layers. Applicant believes that claim 1 as amended overcomes the Lemelson reference. Claim 4 is dependent on Claim 1 and therefore stands or falls based on the disposition of Claim 1.

Applicant therefore respectfully requests reconsideration.

III. Rejection of claims 1, 4, 7, 10 and 11 under 35 U.S.C. § 102(b) as being anticipated by Safta.

Claims 1, 4, 7, 10 and 11 stand rejected under 35 U.S.C. §102(b) as being anticipated by Safta, U.S. Patent No. 5,376,281. Examiner points to the abstract and column 6, lines 51-60, as teaching the irradiation of water through an irradiation stage using laser light, whereby microbes in the water are killed.. As indicated in Section II above, Applicant has amended claim 1 to provide for the use of a semiconductor laser. Applicant also amends Claim 10 as follows:

10. A water treatment system, comprising:

a treatment area further comprising an entry point for receiving water from input tubing connected to the input portion of said treatment area and an exit point for providing water passing through said treatment area to a point of use; and

at least one semiconductor laser coupled to said treatment area for delivery of light into said treatment area;

wherein microorganisms are sensitive to light from said at least one semiconductor laser and are killed as said light penetrates and treats water flowing through said treatment area.

Safta also does not teach the use of semiconductor lasers. Applicant believes that claims 1 and 10 as amended overcome the Safta reference. Claim 4, 7 and 11 are dependent on either Claim 1 or Claim 10, and therefore claims 4, 7, and 11 stands or falls based on the disposition of Claims 1 or 10, respectively. Applicant believe claims 4, 7 and 11 are also not anticipated by Goudy based on the underlying independent claims 1 and 10.

Applicant therefore respectfully requests reconsideration.

IV. Rejection of claims 1-5, 8 and 10-13 under 35 U.S.C. § 103(a) as unpatentable over Korin in view of Goudy.

Claims 1-5, 8 and 10-13 stand rejected by the Patent Office under 35 U.S.C. §103(a) as being unpatentable over Korin, U.S. Patent No. 6,464,868 by Goudy, U.S. Patent No. 4,661,264. Examiner points to the abstract and figures of Goudy as teaching the disinfection of water by passing a stream of water through a laser beam, wherein treatment of water by the laser beam occurs in a treatment area .

Korin and Goudy, alone or in combination, do not teach the use of semiconductor lasers for water treatment near the water's point of use. Independent claims 1 and 10 have been amended by Applicant as described above. Neither Goudy or Korin teach the use of semiconductor lasers. Applicant therefore respectfully traverses the rejection.

Applicant therefore respectfully requests reconsideration.

V. Rejection of claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Lemelson, Safta and Goudy in view of Tribelski.

Claim 9 stands rejected under 35 U.S.C. §103(a) as unpatentable over Lemelson, Safta and Goudy in view of Tribelski, US. Patent No. 6,468,433. Applicant has cancelled claim 9 in favor of adding new claim 21 in its place.

Claim 21 is written as follows:

21. The method of claim 1 wherein said treatment area is located with and coupled to at least one of a water fountain, a kitchen sink, and/or rinsing equipment in an industrial process.

VI. Objection to claims 6 and 14-16.

Claims 6 and 14-16 were objected to as being dependent on rejected base claims 1 and 10, respectively. Examiner indicates that claims 6 and 14-16 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for the suggestion; however, Applicant believes that the amendments to independent claims 1 and 10 to include use of "at least one semiconductor laser" overcome the rejections based on the prior art of record. Therefore, Applicant respectfully requests reconsideration of the claims based on the present amendments.

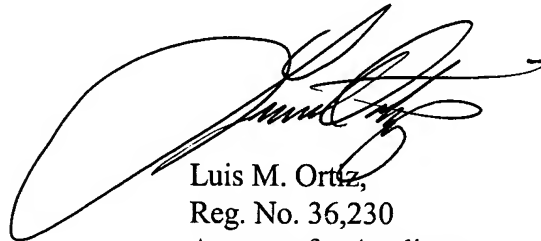
VII. Conclusion

In view of the foregoing discussion and amendments newly provided, Applicant has responded to each and every objection and rejection of the Official Action. Applicant has amended claims 1, 7, 8, and 12-18, and adds new claim 21 to the present application. Claims 1-8 and 10-21 remain pending in the present case. No new subject matter has been introduced as a result of the amendments. Applicant respectfully submits that the present amendments and foregoing discussion do not present new issues for consideration and that no new search is necessitated.

Accordingly, Applicant respectfully requests reconsideration of his application and withdrawal of the objections and the rejections under 35 U.S.C. §102 and 103. Applicant further hopes for a timely issuance of the present application after reconsideration by Examiner.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned representative to conduct an interview in an effort to expedite prosecution in connection with the present application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Luis M. Ortiz', is written over the printed name and address.

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